## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS

## **BEAUMONT DIVISION**

CARL MATHEW BELLOTTI, III §

VS. § CIVIL ACTION NO. 1:09cv226

JEFF. CO. CRIMINAL COURT SYSTEM §

## MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Carl Mathew Bellotti, III, proceeding *pro se*, filed the above-styled civil rights lawsuit pursuant to 42 U.S.C. § 1983.

The court previously referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge for consideration pursuant to 28 U.S.C. § 636. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending this case be dismissed for failure to state a claim upon which relief may be granted and as frivolous.

The court has received and considered the Report and Recommendation of United States Magistrate Judge. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections. After careful consideration, the court is of the opinion the objections are without merit and that the recommendation of the magistrate judge is correct.

## <u>ORDER</u>

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment shall be entered dismissing this lawsuit.

So ORDERED and SIGNED this 17 day of August, 2010.

Ron Clark, United States District Judge